A new law closes the legal loophole that allowed the sale in dietary supplements of steroid chemicals used as hormone precursors. The Anabolic Steroid Control Act of 2004 was signed into law by President George W. Bush on October 22, 2004.1

The Act was unanimously approved by the United States Senate on October 6, 2004. The Senate bill (S. 2195) was sponsored by Senator Joe Biden (D-Del.) and Senator Orrin Hatch (R-Utah) and had received significant interest in and support from many members of Congress due to concerns about the adverse health effects of steroids and steroid precursors. The House of Representatives passed similar legislation on June 6, 2004. The law was scheduled to go into force 90 days from signing.

Last year President Bush elevated the public’s awareness on the use of steroids in sports to national political prominence by mentioning it in the 2004 State of the Union address. “The use of performance-enhancing drugs like steroids in baseball, football, and other sports is dangerous,” he said. “And it sends the wrong message—that there are shortcuts to accomplishment, and that performance is more important than character.”2

Anabolic steroids are compounds which exhibit similar pharmacological effects as illegal steroid drugs. The term anabolic refers to the process of building muscle tissue. Significant interest has arisen in this area in the past few years since the revelation that various high-profile professional athletes had taken the controversial substance for increased muscle mass and performance (e.g., baseball player Mark McGwire of the St. Louis Cardinals reportedly used the steroid androstenedione [aka “andro”] in his record-setting 1998 season).

Anabolic steroids had been previously controlled by the Anabolic Steroid Control Act of 1990. The new law authorizes the U.S. Drug

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Enforcement Agency (DEA) to add androstenedione, tetrahydrogestrinone (THG), and other steroid precursors to the list of anabolic steroids that had previously been classified as Schedule III controlled substances. There are a total of 49 steroid compounds specifically listed in the law, which are now officially considered drugs. The list also includes "any ester, or ether of a drug described" in the list. The law authorizes $15 million for enforcement of the act from 2005 to 2010.1

"Steroid products are dangerous," Senator Hatch said in a press release. "They hurt the public health. They are giving sports a black eye, and they endanger kids. So, it's a no-brainer that outlawing steroid look-alikes will protect the public health."3

"To me, it should be simple: If it walks like a duck, and it quacks like a duck— it's a duck," explained Hatch. "Under this bill, clever chemists will no longer be able to dodge the law by disguising their chemicals to skirt the legal definition of a steroid. Our bill gives the DEA the power to schedule nearly any steroid precursor now or in the future— giving the law flexibility so we don't have to play catch-up with every new andro look-alike that comes along."3

The bill received strong support by numerous groups in healthcare and professional athletics professions, including the American Medical Association, American Academy of Pediatrics, National Football League, National Basketball Association, and the National Hockey League. The legislation was also supported by various law enforcement agencies, including the U.S. Anti-Doping Agency.

In addition, the law has received support from five major trade associations representing the herb and dietary supplement industry: the American Herbal Products Association, Consumer Healthcare Products Association, Council for Responsible Nutrition, National Nutritional Foods Association, and Utah Natural Products Association. These organizations have supported the legislation since it was initially introduced on January 20, 2004, based on the general recognition and agreement in most sectors of the dietary supplement industry that steroids are drugs and should not be sold as dietary supplements.4

One area of concern in the herb and dietary industry has been the status of a relatively popular ingredient in dietary supplements, dehydroepiandrosterone (DHEA), a naturally occurring steroidal structured hormone produced from cholesterol by the adrenal glands. DHEA is a chemical precursor to testosterone, estrogen, and other hormones to which it converts in the human body. The DHEA used in dietary supplements is derived commercially from wild yam (Dioscorea spp., Dioscoreaceae), the roots of which contain diosgenin, a steroidal saponin, which can easily be converted into DHEA in the laboratory.5

Another area of concern by the industry has been how the steroid issue has adversely and unfairly affected public perceptions of the responsible elements in the dietary supplement industry, particularly after the negative publicity generated by the ephedra controversy. According to a joint press release from industry groups, "Led by the industry trade associations, the dietary supplement industry believes this bill presents a step forward toward resolving issues affecting consumer confidence in the dietary supplement category. The trade associations are eager to create an opportunity to refocus visibility on the safety and benefits of our industry's core products including vitamins, minerals, botanicals, amino acids, and specialty ingredients such as omega-3 fatty acids, SAM-e, glucosamine, and chondroitin sulfate."4

References